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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,895	10/24/2003	Hoe-Won Kim	678-1055 (10483)	8709

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EXAMINER

WHIPPLE, BRIAN P

ART UNIT	PAPER NUMBER
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2196

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/18/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/692,895

Applicant(s)

KIM, HOE-WON

Examiner

Brian P. Whipple

Art Unit

2196

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-5 are pending in this application and presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. As to claim 1, line 14, and claim 3, line 2, the meaning of "real time" is unclear. Real time could refer to an automated process, an event occurring immediately following a cause, a periodic process, or any instance of an event or events occurring across a time period. The examiner interpreted periodic time intervals as real time for the purposes of an art rejection.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 3, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Moshaiov et al. (Moshaiov), U.S. Patent No. 6,256,634 B1.

7. As to claim 1, Moshaiov discloses a wireless network comprising a master, a plurality of slaves belonging to the master, and a shared channel connecting the master with the slaves (Column 1, lines 65-67; Column 2, lines 1-6);

wherein the master periodically sends identifier information for first data that the network contains to at least one slave (Column 5, lines 29-31 and 41-42; Column 6, lines 29-47; the Primary Site Controller is the master and the Backup Site Controllers are the slaves; the Primary Site Controller periodically sends replication message packets to the Backup Site Controllers),

receives at least one request for data from at least one slave, finds the requested data, and sends the requested data to the corresponding slave (Column 16, lines 59-67; Column 17, lines 1-13);

wherein the slave detects identifier information for second data that the slave itself does not contain and which excludes identifier information for third data that the slave itself contains from the identifier information for first data received from the master, requests the master to send the second data, receives the second data through the shared channel, updates identifier information for the received second data in addition to identifier information for the third data, and stores the received second data in addition to the third data (Column 16, lines 59-67; Column 17, lines 1-13); and

whereby flexible data between the master and the slaves are shared in real time (Column 6, lines 29-47; data is shared periodically, in real time, between the Primary Site Controller, the master, and the Backup Site Controllers, the slaves).

8. As to claim 3, Moshaiov discloses a method for enabling any one of a plurality of slaves to receive data from a master through a shared channel to share flexible data in real time on a wireless network (Column 1, lines 65-67; Column 2, lines 1-6; Column 6, lines 29-47; data is shared periodically, in real time, between the Primary Site Controller, the master, and the Backup Site Controllers, the slaves), comprising:

receiving identifier information for first data, which the network contains from the master (Column 16, lines 59-67; Column 17, lines 1-13);

detecting identifier information for second data that the slave itself does not contain and excluding identifier information for third data that the slave itself contains from the identifier information for the first data received from the master (Column 16, lines 59-67; Column 17, lines 1-13);

when there is identifier information for the second data, receiving data from the master through the shared channel (Column 16, lines 59-67; Column 17, lines 1-13);

when identifier information for the received second data is contained in the identifier information for the second data, updating the identifier information for the received second data in addition to the identifier information for the third data, and storing the received second data in addition to the third data (Column 16, lines 59-67; Column 17, lines 1-13);

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and when identifier information for the received second data is not contained in the identifier information for the second data, sending the identifier information for the second data to the master, and requesting the master to send the second data (Column 6, lines 38-41; Column 16, lines 59-67; Column 17, lines 1-13).

9. As to claim 5, Moshaiov discloses when there is no identifier information for the second data, returning to the step of receiving the identifier information, after waiting for a predetermined time (Column 6, lines 29-47; Column 16, lines 59-67; Column 17, lines 1-13).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moshaiov as applied to claims 1 and 3 above, in view of Matusevich, U.S. Patent No. 6,119,016.

12. As to claims 2 and 4, Moshaiov does not disclose the master is a base station, and each of the slaves is a mobile wireless terminal.

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However, Matusevich does disclose the master is a base station, and each of the slaves is a mobile wireless terminal (Column 1, lines 14-18; Column 2, lines 39-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Moshaiov by using a wireless network as taught by Matusevich in order to communicate in a network without the need for wired connections and to make use of Moshaiov's teachings in wireless, in addition to wired, networks.

Summary

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Whipple whose telephone number is (571)270-1244. The examiner can normally be reached on Mon-Thu (7:30 to 5), Fri (7:30 to 4 or day off).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571)272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BPW

Brian P. Whipple
11/29/06


NABIL M. EL-HADY
SUPERVISORY PATENT EXAMINER